

RCE / JPH

PATENT

ATTORNEY DOCKET: 47690-0001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Brian M. TIERNEY et al.) Confirmation No.: 2339
)
Application No.: 10/751,473) Group Art Unit: 2832
)
Filed: January 6, 2004) Examiner: Karl D. Easthom
)
For: GAS PERMEABLE RESISTOR)
CASING)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window, Mail Stop RCE
Alexandria, VA 22314

Sir:

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

- ☒ Previously submitted:
☒ Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on January 17, 2006. (Any unentered amendment(s) and related materials referred to above will be entered).
☐ Please consider the arguments in the Appeal Brief or Reply Brief previously filed on _____.

- ☐ Enclosed:
☐ Supplemental Reply
☐ Declaration Under 37 C.F.R. § 1.132
☐ Information Disclosure Statement
☐ PTO Form 1449 (with ___ documents attached)
☐ Other: _____

03/16/2006 SZEWDIE1 00000045 10751473

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03/16/2006

790.00 OP
900.00 OP

2. Miscellaneous

- ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required).
- ☐ Change of Correspondence Address
- ☐ Submission of Revocation of Change of Power of Attorney and Grant of New Power of Attorney

3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

- ☒ \$790.00
- ☐ \$385.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	7	minus	20	0	x \$50 each =	+ \$0.00
Independent Claims (37 C.F.R. § 1.16(b))	1	minus	3	0	x \$200 each =	+ \$0.00
[] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0.00
SUB-TOTAL =						\$0.00
Reduction by ½ for filing by a small entity						- \$0.00
TOTAL FEE =						\$0.00

(c) Extension of Time

- ☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

Total Months Requested	Fee for Extension	Fee for Small Entity
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

- ☒ An extension for one month has already been secured on January 17, 2006 and the fee paid therefore of \$120.00 is deducted from the total fee due for the total months of extension now requested. Accordingly, the extension of time fee due with this request is \$900.00 (\$1020 - \$120).

If an additional extension of time is required, please consider this a Petition therefor.

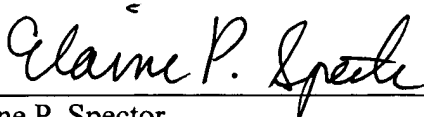
4. Fee Payment

- ☒ Enclosed is a check in the amount of \$1,690.00, representing \$900.00 for the extension of time fee and \$790.00 for the RCE filing fee.
- ☐ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0573 in the amount of _____.
- ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

By:


Elaine P. Spector
Registration No. 40,116

Dated: March 15, 2006

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